



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

JAN 19 2017

Ref: 8ENF-RC

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Tyler Esplin, PE
Environmental Compliance Superintendent
Deseret Power
12500 East 25500 South
Vernal, Utah 84078-8525

Re: Request for Information Pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), Bonanza Power Plant, Vernal, Utah.

Dear Mr. Esplin:

The purpose of this letter is to request information regarding the Bonanza Power Plant facility located 35 miles southeast of Vernal, Utah, owned and operated by the Deseret Power Electric Cooperative. Under the provisions of Section 3007(a) of the Resource Conservation and Recovery Act, as amended (RCRA), 42 U.S.C. § 6927(a), the U.S. Environmental Protection Agency may require persons who generate, store, treat, transport, dispose of, or otherwise handle or have handled hazardous wastes to furnish information relating to such wastes for the purpose of enforcing the Act.

On July 13, 2016, David Duster and Annette Maxwell, Environmental Scientists and inspectors for the EPA Region 8, conducted a compliance evaluation inspection of the Bonanza Power Plant facility under RCRA. As part of this inspection, Mr. Duster and Ms. Maxwell requested, but did not receive, information on wastewater discharged to Bonanza Power Plant surface impoundments. This information request is a follow-up to that inspection.

Pursuant to the EPA's authority set forth in section 3007(a) of RCRA, you are requested to submit the information asked for in the questions set forth below.

Please provide the requested information within thirty (30) calendar days of your receipt of this letter. Precede each answer with the number of the question to which it corresponds. Please submit your response to David Duster at the following addresses:

David Duster, Environmental Scientist
US EPA Region 8, 8ENF-RC
RCRA Technical Enforcement Program
1595 Wynkoop Street
Denver, CO 80202-1129

The response to this letter must include a signed copy of the certification statement enclosed with this letter. The certification statement must be signed and dated by an authorized officer or agent of the owner or operator of the Facility and must clearly identify, in the signature block, whether the signatory is executing on behalf of the owner, operator, or both.

Failure to respond fully and truthfully, or to adequately justify your failure to respond, can result in an enforcement action by the EPA, pursuant to section 3008 of RCRA, 42 U.S.C. § 6928, and the

imposition of penalties of up to \$70,117 per day of non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

The information requested by this letter must be provided notwithstanding its possible characterization as confidential business information or trade secret. However, you may request, in accordance with and subject to the limitations of 40 C.F.R. Part 2, treatment of certain information as confidential business information (CBI). CBI requests must be made at the time of submission or such information may not be protected as CBI by the EPA. You may assert such claim by following the procedures in 40 C.F.R. § 2.203, including placing a cover sheet, stamped or typed notice, employing language such as "proprietary," "company confidential," or "trade secret," on the information at the time it is submitted. If the EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B.

If you require clarification of this request, please contact David Duster (303) 312-6665 for technical questions, or Amelia Piggott at (303) 312-6410 for any legal questions you may have.

QUESTIONS:

1. Identify each surface impoundment receiving wastewater from Bonanza Power Plant operations.
2. Provide a description of the engineering design of the wastewater impoundments. Provide all design and construction maps, plans or diagrams of the evaporation ponds.
3. Provide a description of ground water monitoring of the wastewater impoundments. Provide all maps and design or construction documents of the ground water monitoring system.
4. Provide all analytical results for ground water monitoring of the wastewater impoundments.
5. Identify all solid waste streams that have been discharged to the Bonanza Power Plant evaporation ponds during the past year.
6. For each waste stream identified above, identify whether this waste stream is classified as a hazardous waste under RCRA.
7. Provide all analytical information for the solid waste streams discharged to the facility evaporation ponds.

Sincerely,



Andrea Madigan, Supervisory Attorney
Legal Enforcement Program
U.S. EPA Region 8



Aaron Urdiales, Director
RCRA/CERCLA Technical Enforcement Unit
U.S. EPA Region 8

cc: Mr. Eric C. Olsen, Plant Manager
Deseret Power